

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

C.A. No. 1:19-cv-12551-FDS

Hon. F. Dennis Saylor IV

**DEFENDANT GOOGLE LLC'S  
UNOPPOSED MOTION TO IMPOUND/SEAL DESIGNATED MATERIAL**

Pursuant to Local Rule 7.2 and the Protective Order in this case (“Protective Order”), (Dkt. No. 87), Defendant Google LLC (“Google”) respectfully requests that this Court impound (seal) an un-redacted copy of (i) Google’s Reply in Support of its Motion to Exclude Certain Opinion Testimony of Phillip Green (Dkt. No. 524), (ii) Google’s Reply in Support of its Motion for Summary Judgment of Non-Infringement (Dkt. No. 527), and (iii) Google’s Reply in Support of its Motion to Exclude Certain Opinion Testimony of Sunil Khatri Ph.D. (Dkt. No. 525).

The Protective Order allows a party producing documents in discovery to designate documents as “Confidential” after making a good-faith determination that the documents contain information that is “confidential, proprietary, and/or commercially sensitive information,” and to designate documents as “Highly Confidential – Attorneys’ Eyes Only” after making a good-faith determination that the documents contain information that is extremely confidential and/or sensitive in nature and the disclosure of such documents is likely to cause economic harm or significant competitive disadvantage. Protective Order ¶¶ 6-7. That Order requires that a party intending to make court filings referring to such Protected Material bring a motion to impound. *Id.*

¶ 14.

Google's above-identified reply briefs quote and/or discuss confidential information designated Highly Confidential – Attorneys' Eyes Only under the Protective Order that is extremely confidential and/or sensitive in nature and the disclosure of such information is likely to cause Google economic harm or significant competitive disadvantage. Google has filed redacted versions of its reply briefs, which redact discussions of the Google confidential information discussed above, public disclosure of which would risk competitive harm to Google.

Submission of the above-identified un-redacted versions of the reply briefs is necessary to permit the Court to fully evaluate the issues raised in Google's motions. Google therefore brings this Motion to Impound to seal the un-redacted confidential versions of Google's reply briefs.

For the foregoing reasons, Google respectfully requests that the Court permit it to file the above-identified un-redacted confidential versions of Google's reply briefs under seal. Google further requests that the documents remain impounded until further order by the Court, and that upon expiration of the impoundment that the document be returned to Google's counsel.

Respectfully submitted,

Dated: June 2, 2023

By: /s/ Nathan R. Speed  
Gregory F. Corbett (BBO #646394)  
gcorbett@wolfgreenfield.com  
Nathan R. Speed (BBO # 670249)  
nspeed@wolfgreenfield.com  
Elizabeth A. DiMarco (BBO #681921)  
edimarco@wolfgreenfield.com  
Anant K. Saraswat (BBO #676048)  
asaraswat@wolfgreenfield.com  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Telephone: (617) 646-8000  
Fax: (617) 646-8646

Robert Van Nest (admitted *pro hac vice*)

rvannest@keker.com  
Michelle Ybarra (admitted *pro hac vice*)  
mybarra@keker.com  
Andrew Bruns (admitted *pro hac vice*)  
abruns@keker.com  
Vishesh Narayen (admitted *pro hac vice*)  
vnarayan@keker.com  
Christopher S. Sun (admitted *pro hac vice*)  
csun@keker.com  
Anna Porto (admitted *pro hac vice*)  
aporto@keker.com  
Deeva Shah (admitted *pro hac vice*)  
dshah@keker.com  
Stephanie J. Goldberg (admitted *pro hac vice*)  
sgoldberg@keker.com  
Eugene M. Paige (admitted *pro hac vice*)  
epaige@keker.com  
KEKER, VAN NEST & PETERS LLP  
633 Battery Street  
San Francisco, CA 94111-1809  
Telephone: (415) 391-5400

Michael S. Kwun (admitted *pro hac vice*)  
mkwun@kblfirm.com  
Asim M. Bhansali (admitted *pro hac vice*)  
abhansali@kblfirm.com  
KWUN BHANSALI LAZARUS LLP  
555 Montgomery Street, Suite 750  
San Francisco, CA 94111  
Telephone: (415) 630-2350

Matthias A. Kamber (admitted *pro hac vice*)  
matthiaskamber@paulhastings.com  
PAUL HASTINGS LLP  
101 California Street, 48<sup>th</sup> Floor  
San Francisco, CA 94111  
Telephone: (415) 856-7000  
Fax: (415) 856-7100

Ginger D. Anders (admitted *pro hac vice*)  
Ginger.Anders@mto.com  
J. Kain Day (admitted *pro hac vice*)  
Kain.Day@mto.com  
MUNGER, TOLLES & OLSON LLP  
601 Massachusetts Avenue NW, Suite 500E  
Washington, D.C. 20001

Tel: (202) 220-1100

Jordan D. Segall (admitted *pro hac vice*)  
Jordan.Segall@mto.com  
MUNGER, TOLLES & OLSON LLP  
350 South Grand Avenue, 50th Floor  
Los Angeles, CA 90071-3426  
Tel: (213) 683-9100

*Counsel for Defendant Google LLC*

**LOCAL RULE 7.1(a)(2) CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), I certify that, on May 31, 2023 and June 2, 2023, counsel for Defendant Google LLC and counsel for Plaintiff Singular Computing LLC met and conferred in good faith regarding resolution of this motion. Counsel for Plaintiff stated that it does not oppose the relief requested in this motion.

/s/ Nathan R. Speed

Nathan R. Speed

**CERTIFICATE OF SERVICE**

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Nathan R. Speed

Nathan R. Speed